

REMARKS

Applicant is in receipt of the Notice of Allowance mailed July 8, 2010.

Claims 1, 10, 13, 17, 19, 21, 42, 48 and 53 are herein amended.

Claims 1, 7, 9-10, 13, 16-21, 23-24, 27-28, 30, 42, 45 and 48-56 remain pending in the application.

Patent Agent Mark Brightwell had a telephone conversation with the Examiner on June 26, 2010, in which the Examiner pointed to the following disclosed feature as a possible candidate for addition to the independent claims:

“selecting values of the variables in their respective ranges is performed according to an operational mode, wherein the operational mode is selected by a user from a set of operational modes including a Monte Carlo mode, a discrete combinations mode and a sensitivity analysis mode”.

The Examiner agreed that this feature would in his opinion render the case allowable.

On July 29, 2010, Agent Mark Brightwell had an additional telephone conversation with the Examiner, in which the Agent requested that the Examiner incorporate the above-proposed feature into the independent claims by Examiner's amendment. The Examiner agreed to do so.

In the July 8, 2010 Notice of Allowance, the Examiner amended the independent claims (i.e., claims 1, 10, 13, 17, 19, 21, 42 and 48) in a manner generally consistent with the agreement of July 29, 2010. However, the Examiner's amendment inadvertently created a number of issues with antecedent basis. For example, claim 10 recites “instantiating” variables, not “selecting values of the variables”. Thus, the Examiner's addition of “wherein said selecting values of the variables ...” to claim 10 created an antecedent basis issue in that claim. The amendments presented herein are meant to

correct such antecedent basis issues, and thus, are generally consistent with the agreement of July 29, 2010.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5460-01101/JCH.

Also filed herewith are the following items:

- ☐ Terminal Disclaimer
- ☐ Power of Attorney By Assignee and Revocation of Previous Powers
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,

/Jeffrey C. Hood/

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